

MARTIN D. CHITWOOD (*pro hac vice*)
GREGORY E. KELLER (*pro hac vice*)
CHITWOOD HARLEY HARNES LLP
1230 Peachtree Street, NE
Promenade II, Suite 2300
Atlanta, Georgia 30309
Telephone: (404) 873-3900
Facsimile: (404) 876-4476

Lead Counsel for Plaintiffs

GWENDOLYN R. GIBLIN (State Bar #181973)
GOLD BENNETT CERA & SIDENER, LLP
595 Market Street, Suite 2300
San Francisco, CA 94105-2835
Telephone: (415) 777-2230
Facsimile: (415) 777-5189

Liaison Counsel for Plaintiffs

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re PROVIDIAN FINANCIAL CORP.) Master File No. C-01-3952 CRB (JCS)
SECURITIES LITIGATION)
) CLASS ACTION

This Document Relates to: All Actions

~~PROPOSED~~ ORDER RE: THIRD DISTRIBUTION OF CLASS SETTLEMENT FUND

1 **AND NOW**, this 5th day of May, 2011, upon consideration of Plaintiffs'
 2 Notice of Motion and Motion for Third Distribution of Class Settlement Fund ("Motion") and the
 3 Declaration of Bruce H. Cozzi (of Gilardi & Company, the Claims Administrator) Regarding Status of
 4 Settlement Fund (Exhibit 1 to Motion), it is hereby ORDERED as follows:

5 1. The Claims Administrator is directed to distribute the balance of the Settlement Fund
 6 after deducting the payments previously allowed and set forth herein (the "Net Settlement Fund") to
 7 Class Members who (a) cashed their second distribution check and (b) would receive a check of \$10 or
 8 more. Such distribution shall be in proportion to the Recognized Claim allocable to each such eligible
 9 Class Member.

10 2. The Court approves payment to Gilardi & Company, the Claims Administrator, in the
 11 amount of \$1,500.00 from the Settlement Fund for its fees and unreimbursed expenses in connection
 12 with the third distribution of the Net Settlement Fund.

13 3. If after six months following such third distribution any funds shall remain in the Net
 14 Settlement Fund, any remainder shall be allocated for Cy Pres distribution to Legal Services
 15 Corporation (<http://www.lsc.gov/>), a non-sectarian, not-for-profit, 501(c)(3) organization that provides
 16 national civil legal aid for the poor.
 17

18 Dated: May 05, 2011

19
20
21 **BY THE COURT:**

22
23 The Honorable Charles R. Breyer
 24 Judge, United States District Court

